

think are worth making concerning the Protect America Act, which we hope to make permanent in the bill that's come over here from the Senate to fix the Foreign Intelligence Surveillance Act.

□ 2200

But one of the points that hasn't been made is that the Senate bill that has passed, that's pending on this floor, actually has stronger civil liberties protections for Americans than in the original 1978 law. In fact, Admiral McConnell and Attorney General Mukasey said in a letter on the 22nd of February, "We note that the privacy protections for Americans in the Senate bill exceed the protections contained in both the Protect America Act and the House bill."

So, in fact, one of the things that has changed under this new piece of Senate legislation is that if you are an American, wherever you are in the world, if you're known to be an American, you have the protections of the American Constitution. That's not the case under the 1978 FISA law. So, there is actually more civil liberties protections for Americans on the bill that is on the floor of the House than there is under existing statute.

And the second thing that I think is worth pointing out is that after 9/11 the President turned to his advisers and everyone in all the intelligence agencies and said, you know, what tools do we have? How can we prevent another terrorist attack? How can we find out what their plans and capabilities and intentions are? The fact is that the terrorist threat is much different than the threat that we faced in the height of the Cold War. I was an Air Force officer in Europe during the Cold War. And the Soviets were a very convenient enemy from an intelligence point of view. They had a very big footprint. We knew where they were. We knew what they had. They had exercises the same time every year out of the same barracks using the same radio frequencies. They would have been very difficult to defeat, but we knew where they were.

With the terrorist threat, the problem is completely reversed. If we can find them, we can stop them. The problem is finding them. And, in general, they are using commercial communications. So, instead of being one ugly monster in the forest where you know where they are like the Soviets were, it's more like a "Where's Waldo" problem. Can you find the person in the clutter of everything else? That puts the premium on good intelligence.

And particularly, in the case of terrorism, electronic surveillance has been one of our most important tools because they are hiding and using commercial communications. That has been one of our strongest tools in preventing terrorist attacks for the last 6 years. And I must say that I believe that the greatest accomplishment of the last 6½ years has been what has not happened. We have not had another

terrorist attack on our soil since the morning of 9/11. And they have tried. It has been good intelligence that has kept this country safe. And for the last 18 days, we have been building another intelligence gap, and this body must act to close it.

Mr. MCCAUL of Texas. I thank the gentlelady for her eloquence, as always.

I would like to just add that, certainly during the Cold War at least, the principle of mutually shared destruction applied; we valued our lives and so did the Soviets. In this war against terrorism, in the day of suicide bombers, we can't say that. So real-time intelligence is absolutely critical to protecting the Nation.

I want to state again, from the DNI, the Director of National Intelligence, he says, "Expiration of this act will result in a degradation of critical tools necessary to carry out our national security mission. And without these authorities, there is significant doubt surrounding the future aspects of our operations." Again, that is a warning to the United States Congress that if you don't do your job, I can't do my job. Do your job.

With that, I yield to the gentleman from Pennsylvania.

Mr. DENT. Mr. Speaker, I want to thank the gentleman from Texas and the gentlelady from New Mexico and the gentleman from Georgia for engaging in this colloquy tonight.

I think just about everything has been said. We have a job to do. The American people expect us to get it done. We've heard from the attorney generals, we've heard from the U.S. Attorney General, Michael Mukasey. We've heard from the Director of National Intelligence, Michael McConnell. We have heard from everyone. And the fact that this intelligence product is being degraded should be alarming to every single American. The fact that we're debating this this evening, knowing that we may not be getting vital intelligence or information I think should be cause for alarm.

There are going to be those who say that we're doing this fear-mongering. That is absolute nonsense. We're simply stating facts. And the facts are that our intelligence personnel today don't have the tools that they had just a few weeks ago to deal with the threats that we face as a Nation.

With that, I want to thank you again for your leadership. As a member of the Homeland Security Committee, you and I are deeply engaged in these issues, along with Mrs. WILSON, who has been a great leader on the House Permanent Select Committee on Intelligence. Again, we need to keep pounding this point home. I am prepared to come to the floor of the House every single night until this law is enacted.

With that, I yield back to the gentleman from Texas.

Mr. MCCAUL of Texas. Thank you, Mr. DENT, for your leadership as well. I see we just have a few minutes left.

I yield 2 minutes to the gentlelady from New Mexico.

Mrs. WILSON of New Mexico. I want to thank the gentleman from Texas, and I won't take the 2 minutes, but I wanted to thank him for his leadership and persistence. This is going to get fixed because we will not rest until it's fixed, and it is critical to the country that it be fixed.

It is now up to the liberal Democrat leadership to listen to the will of this body and pass the Senate bill that will close the intelligence gap.

I yield back to my colleague.

Mr. MCCAUL of Texas. I thank the gentlelady.

I would like to close with a quote. Why is this debate so important? I think it's important to understand the threat and to understand who the enemy really is. Who is the enemy? Let's get inside the mind of the enemy. And our enemy says, "The confrontation that we are calling for with the apostate regimes does not know Socratic debates, Platonic ideals, nor Aristotle diplomacy. But it knows the dialogue of bullets, the ideals of assassination, bombing and destruction, and the diplomacy of the cannon and machine gun. Islamic governments have never and will never be established through peaceful solutions and cooperative councils. They are established as they always have been, by pen and gun, by word and bullet, and by tongue and teeth."

The words I just read to you are the preface of the al Qaeda training manual. That is how it begins. That's in their words, not mine. That is the enemy. That is the threat. That is why it's so important we pass the Protect America Act on the House floor, and pass it now.

DEMOCRATIC FRESHMEN HOUR

The SPEAKER pro tempore (Mr. BRALEY of Iowa). Under the Speaker's announced policy of January 18, 2007, the gentleman from Kentucky (Mr. YARMUTH) is recognized for 60 minutes.

Mr. YARMUTH. Mr. Speaker, it's a great honor for me to be here tonight representing the class of 2006, the freshmen Democrats who were responsible for returning the majority to the Democrats in the last election. I'm particularly proud to be here to talk about the whole area of intelligence and surveillance, which our colleagues from across the aisle spent the last hour talking about.

I don't have props tonight because I look down at the dais and I see engraved in the side of the dais two words that serve as the only props I need in discussing this very important topic. I see the word "justice," and I see the word "freedom." Because that's really what we're talking about when we're talking about the FISA controversy. We're talking about whether the incredibly important principles of justice will apply to the way we treat corporations in this country that choose not to